

Opinion: What to do with the walrus

By Erwin Van Nieuwenhuys

The hunting of walrus in Alaska poses important questions to all who are concerned with the future of our state. The pressures created by the Norton Basin oil lease sales scheduled by the federal government for 1982, combined with the continuing controversy surrounding management of the Alaska harvest, will soon thrust the unsuspecting pinniped into the limelight.

Who has the legal jurisdiction and moral right to restrict subsistence hunting by Alaska Natives?

To what extent should the Eskimo walrus hunters be allowed to regulate themselves?

What has brought about such wasteful hunting practices as head hunting and how can they be curtailed?

Has the Pacific walrus herd exceeded its carrying capacity, as is feared by some, and if so, will it crash in the near future?

What do scientists really know at present about the health of the herd?

Many of these questions are matters of basic policy and do not have simple answers. As with all issues of far-reaching consequence, any decisions arrived at will be the result of many tradeoffs and compromises. The major participants in this process will be the Alaska Department of Fish and Game, (ADFG), the U.S. Fish and Wildlife Services (USF&WS), the Eskimo walrus hunters of Western Alaska, represented politically by the Eskimo Walrus Commission (EWC) and on the legal front by the Alaska Legal Services Corporation, and the oil and gas industry. To take an objective look at what the various advocates will be saying, a little background will be helpful.

The Alaska Department of Fish and Game is mandated by state law to manage the aquatic and terrestrial wildlife resources of Alaska on behalf of all the residents of this state. Its primary concerns are for these wildlife resources and the maintenance of optimal sustainable population levels. ADF&G biologists have monitored the walrus harvest since 1959, producing much of the information presently available on the health of the herd. The resulting records of the number of animals taken, their age and sex composition, and their reproductive history are invaluable in assessing the current status of the population. However, the Fish and Game Department is not tied to the heartstrings of many rural Alaskans, especially Alaska Natives, although certain individuals within the agency are highly respected.

Its recently established Subsistence Section is fondly referred to as "the SS" by some village residents. The feeling that ADF&F policies and "management techniques" leave much to be desired, that they are geared toward the interests of sport hunters rather than subsistence hunters, is a pervasive one in the bush. It is not surprising then that Judge Harold Greene's preliminary finding that "the State may not

regulate Native hunting of non-depleted walrus" prompted serious objection to State regulations among the Native community (see TT April 1979).

In his letter of June 22, 1979, informing the U.S. Fish and Wildlife Service of the State's decision to return the walrus to federal management, Commissioner Ronald Skoog declared that "Consumptive users of the walrus resource have been informed erroneously . . . that our regulations are invalid [as a result of the preliminary finding] and violators cannot be prosecuted. The results of such misinformation are that many walrus users are disregarding State regulations and thus unknowingly are placing themselves in jeopardy; eventually, State walrus regulations are going to be unenforceable."

This decision, adopted by the Alaska Board of Game in the form of an emergency regulation which effectively terminated the State's walrus management program and repealed all relevant regulations, came after only three years of State management under the provisions of the 1976 waiver of the moratorium on walrus hunting imposed by the Marine Mammal Protection Act (MMPA) of 1972. Thus, the moratorium on non-Native hunting is once again in effect.

The Commissioner cited severe federal restrictions on state management discretion and a clear state intent that all "user groups be included under one management regime," as the principal reasons for the state's action. He also expressed great concern that the walrus population had exceeded its carrying capacity and was in imminent danger of crashing.

There is, indeed, considerable indirect evidence that the population has reached its upper limit and that a significant reduction will occur, but the likelihood of a major crash, similar to those witnessed in lemming or caribou populations, is not very likely according to leading experts in the field of walrus research. The principal indications include significant shifts in distribution since the early 1970's, a substantial increase in natural mortality last fall resulting from overcrowding in certain hauling out areas, and reports by Native hunters of unusually large numbers of lean animals. The movement of walrus in large numbers from formerly occupied areas to new sites could mean that the food supply in the old areas is no longer adequate. Whether or not this is true, all seem to agree that the characteristics displayed by the herd in the last four years are very unusual have never before been witnessed by anyone - hunter or scientist - living today.

"The Pacific walrus population has been out of balance for the past 100 years," explained Dr. Francis Fay of the University of Alaska, a noted authority on marine mammals, "due to overharvesting mostly by U.S. ships during and following Alaska's whaling period. From the 1930's to about 20 years ago the Russians harvested walrus commercially, reducing

their numbers even further. The population has been adjusting ever since and has not yet reached a balanced state."

While the walrus is not as mysterious as some other marine mammals such as the bowhead whale, many questions regarding its distribution and migration, growth and development, food habits, productivity, and population composition have yet to be answered. Fay expressed hope that studies designed to answer many of these questions will be funded next year.

The Pacific walrus is an international resource; it is hunted actively both by Alaska and Siberian Eskimos. Several years ago, Soviet scientists expressed a keen interest in establishing a joint management program with the United States. Some initial discussion took place between the two countries but was soon halted. Establishing such a cooperative program would be difficult because, under the MMPA, Native hunting (which accounts for essentially all of the Alaska harvest) is exempt from regulation and therefore cannot be managed in any real sense of the word. The Russians, on the other hand do not operate under such restrictions and, furthermore, maintain a fleet of sealing vessels which could be used at any time to effectively control a population of 200,000 walruses. The U.S. has not such capability.

Russian scientists are well aware of the changes which have occurred in the walrus population over the past four years and may seek to control any eventual decline in the population unilaterally, by resuming selective commercial harvesting. It is not known whether or not the Soviet government is contemplating such an action nor what effect it would have on the population. Neither is it known under these circumstances what effect the increasing Native harvest would have on the herd.

The complex questions surrounding the walrus issue weigh heavily on the minds of federal game biologists for it is with the Fish and Wildlife Service that the MMPA vests ultimate responsibility for safeguarding the welfare of the Pacific walrus. The Act called for a moratorium on the killing of walrus in Alaska and adjacent waters except for nonwasteful hunting by Alaska Natives.

In late December, 1975, under Section 101(a)(3)(A), the Director of the Service granted a waiver of the moratorium subject to federal approval of relevant state laws and regulations and a revised state management program. On April 5, 1976, the Service implemented the waiver and returned management authority to the state. However, now that the state has relinquished management authority back to the federal government, which has neither sufficient funds or staff on hand to responsibly accept it, the hunting of walrus in Alaska will essentially be unrestricted until the waiver has been successfully renegotiated. The federal government is presently pursuing that course with rep-



representatives of the state and affected Native communities. If the progress of these negotiations continues at its present slow pace, the Eskimo Walrus Commission will likely be the only organization monitoring the Native harvest this fall.

The EWC was formed by the Kawerak Corporation's Subsistence Committee in August, 1978 to represent the interests of the walrus hunting people of western Alaska. It is composed of representatives from Shishmaref, Wales, Little Diomed, Nome, King Island, Gambel, Savoonga, Mekoryuk, Kipnuk, Togiak, Bethel, and Kwigillingok. Prompted by strong dissatisfaction with ADF&G management practices, and the apparent success of the Alaska Eskimo Whaling Commission in Barrow, Kawerak requested and received an appropriation from the state legislature this year to "improve walrus conservation measures, develop subsistence hunting data, and to disseminate information on the subsistence use of walrus."

Caleb Pungowi, member of the commission, told the TUNDRA TIMES that "The EWC wishes to take advantage of this opportunity to enhance our knowledge of the status of the walrus population and to demonstrate our commitment to its fair and responsible management. It will also allow us to assist the Fish and Wildlife Service in developing new regulations and evaluating the appropriateness of any adopted regulations." The EWC will rely chiefly on hunter reports to monitor the harvest, which is limited by ice conditions in fall to the villages of St. Lawrence Island.

While the EWC and ADF&G agree on certain measures for improving walrus management they are in conflict regarding the degree to which the Eskimo hunters will be able to affect the regulations under which they must hunt in the future. The EWC wishes to relax state restrictions on the Native harvest; ADF&F seeks to strengthen its management role by gaining unchallenged legal jurisdiction over subsistence hunting by Alaska Natives. The Native community, on the other hand, is striving for as much local control as possible for they feel that present regulations place an unfair burden on their way of life.

Two aspects of this way of life are particularly important in considering the walrus issue:

(1) the dependence of subsistence hunters on the walrus for its meat and hide, and (2) the carving and sale of raw ivory for necessary cash income. The walrus is unique in this regard it has great value in both subsistence and cash economies of the most active walrus hunting communities.

The effect of past management decisions on patterns of Native hunting was clearly demonstrated by the events which followed a repeal in 1972 of the permit system regulating the sale of ivory. The State permit system, which began in 1960, maintained an artificially low price for ivory and severely restricted its export. Lifting these restrictions, and thus allowing the prices to rise in response to high demand, increased the incentive to kill more walrus than legitimate subsistence and carving needs justified.

Thus, the decision inadvertently promoted head hunting. With the enactment of the waiver in 1976, the State permit system was applied once again but proved ineffective. After four years of virtually no restriction, the black market ivory trade was out of control.

Under the present system, only ivory bearing a state seal may be sold legally. This system monitors how much ivory trades hands legally but does not keep track of where it goes. Neither does it deter illegal traffic. So, the head hunting continues. The EWC has expressed strong opposition to this extremely wasteful practice and places the blame for its proliferation squarely in the state's lap. The Commission believes that the fixed quota system and the requirement that hunters use a minimum caliber rifle have further aggravated the situation. Finding a solution to this serious problem is an important task facing Native leaders and government decision makers alike.

All who are involved in the walrus issue express the utmost concern for the continued well-being of the herd, but disagree on how best to go about ensuring it. Their degree of concern is matched only by their failure thus far to cooperate effectively with one another. To successfully balance the biological and socioeconomic imperatives associated with the hunting of walrus will require an objective approach based as much as possible on present scientific knowledge.